



Robert Garson  
20803 Biscayne Blvd., 4<sup>th</sup> Floor  
Aventura, FL 33180  
E: [rg@gs2law.com](mailto:rg@gs2law.com)  
P: +1.305-780-5212

April 25, 2025

**VIA ECF**

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

Re: Trump v. Simon & Schuster, et al., Case No. 1:23-cv-06883 (PGG)(BCM)

Dear Judge Gardephe,

We represent President Donald J. Trump (“Plaintiff”) in the above-captioned matter and write to respectfully follow up on our letter dated December 17, 2024 [ECF No. 79], and the Court’s order dated December 17, 2024 [ECF No. 80], which indicated that the Court is actively working on the outstanding motion to dismiss. While we appreciate the Court’s attention to this matter, we respectfully note that, as of today, April 24, 2025, no ruling has been issued. This prolonged delay is causing significant prejudice to President Trump, who, now serving as the 47th President of the United States, seeks to vindicate his rights in a timely manner.

As previously noted, the Copyright Office granted a copyright registration to President Trump in the Work, Reg. No. SR0000975712. Defendants continue to profit from President Trump’s narration without providing an accounting, a situation that grows increasingly untenable as President Trump fulfills his duties leading the Nation. The stay of discovery, imposed on May 18, 2023 [ECF No. 36], has now persisted for nearly two years, preventing President Trump from advancing this case and seeking redress for ongoing violations.

The legal maxim, *In diem vivere in lege sunt detestabilis*—delays in the law are hateful—rings true here, as justice delayed is justice denied. The extended pendency of the motion to dismiss, without resolution or a scheduled oral argument as requested by all counsel, risks further harm to President Trump, particularly given the demands of his current office. The Southern District of New York’s standards for maintaining a discovery stay, as outlined in *Kassover v. UBS A.G.*, 2008 U.S. Dist. LEXIS 105213, require a strong showing of meritlessness, consideration of discovery’s breadth, and evaluation of prejudice to the plaintiff. We respectfully submit that the prolonged stay no longer aligns with these standards, given the significant prejudice to President Trump and the absence of a ruling.

We therefore respectfully urge the Court to provide a date certain by which a ruling on the pending motion to dismiss will be issued, preferably within the next 30 days, to ensure timely progress in this matter. Alternatively, we request that the Court schedule oral argument to facilitate resolution. Should the Court deem it appropriate, we also renew our request to brief the issue of lifting the discovery stay to allow this case to proceed without further delay.



Continuation Page

Respectfully Submitted,

Robert Garson

cc: All Counsel of Record (via ECF)